

<p><b>Attorney or Party Name, Address, Telephone &amp; FAX Nos., State Bar No. &amp; Email Address</b></p> <p>Nicholas Andrew Colachis 8896 Lookout Mountain Ave Los Angeles, CA 90046 310-570-6425 cell 323-654-6504 fax</p> <p><input checked="" type="checkbox"/> <i>Individual appearing without attorney</i>  <input type="checkbox"/> <i>Attorney for:</i></p>	<p><b>FOR COURT USE ONLY</b></p> <div style="text-align: center; border: 1px solid black; padding: 5px; margin: 10px auto; width: 150px;"> <p><b>FILED</b></p> <p><b>OCT 04 2018</b></p> <p>CLERK U.S. BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA BY: Deputy Clerk</p> </div>
<p><b>UNITED STATES BANKRUPTCY COURT</b>  <b>CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION</b></p>	
<p><b>In re:</b></p> <p>NICHOLAS ANDREW COLACHIS</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: 2:17-bk-20458-WB</p> <p>ADVERSARY NO.: (if applicable)</p> <p>CHAPTER: 13</p>
<p style="text-align: right;">Plaintiff(s) (if applicable).</p> <p style="text-align: center;">vs.</p> <p style="text-align: right;">Defendant(s) (if applicable).</p>	<p style="text-align: center; font-size: 1.5em; font-family: cursive;">"Amended"</p> <p style="text-align: center;"><b>NOTICE OF APPEAL AND STATEMENT OF ELECTION</b></p>

**Part 1: Identify the appellant(s)**

1. Name(s) of appellant(s): Nicholas Andrew Colachis
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:  
For appeals in an adversary proceeding.
  - ☐ Plaintiff
  - ☐ Defendant
  - ☐ Other (describe):
For appeals in a bankruptcy case and not in an adversary proceeding.
  - ☒ Debtor
  - ☐ Creditor
  - ☐ Trustee
  - ☐ Other (describe):

**Part 2: Identify the subject of this appeal**

1. Describe the judgment, order, or decree appealed from:

Denial of Motion to Vacate Dismissal

2. The date the judgment, order, or decree was entered: 09/13/2018

**Part 3: Identify the other parties to the appeal**

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (*attach additional pages if necessary*):

1. Party: US Bank Trust, NA, as Trustee for LSF9 Master Participation Trust

Attorney:

McCarthy & Holthus, LLP

2. Party:

Attorney:

**Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)**

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

- ☒ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

**Part 5: Sign below**



Date: 10/04/2018

Signature of attorney for appellant(s) (or appellant(s)  
if not represented by an attorney)

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and ~~not~~ a party to this bankruptcy case or adversary proceeding. My business address is:

A true and correct copy of the foregoing document entitled: **NOTICE OF APPEAL AND STATEMENT OF ELECTION** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) \_\_\_\_\_, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☐ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (date) 10/04/2018, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Judge Julia Brand, 255 E Temple, LA, CA 90012 Room 1375  
US Bank Trust via McCarthy & Holthus, 1770 Fourth Avenue, San Diego, CA 92101  
Nancy K Curry Trustee Chapter 13, 1000 Wilshire Blvd, Suite 870, LA, CA 90017

☐ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

10/04/2018

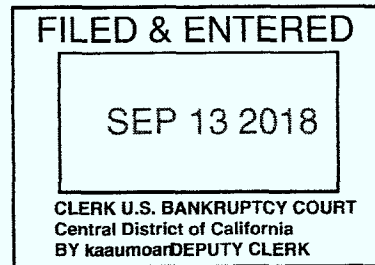
Date

Nick Colachis

Printed Name

N. Colachis

Signature



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**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA—LOS ANGELES DIVISION**

In re:

NICHOLAS ANDREW COLACHIS,

Debtor(s).

Case No.: 2:17-bk-20458-WB

CHAPTER 13

**ORDER DENYING MOTION TO VACATE  
ORDER DISMISSING CASE**

Date: September 12, 2018

Time: 1:30 PM

Courtroom: 1375

Debtor Nicholas Andrew Colachis' ("Debtor") Motion to Vacate Order Dismissing Case ("Motion") came on for hearing before this Court on September 12, 2018 at 1:30 p.m.

Appearances were made as set forth on the record at the hearing. The Court having reviewed the Motion, heard oral argument at the hearing and for the reasons set forth on the record during the hearing,

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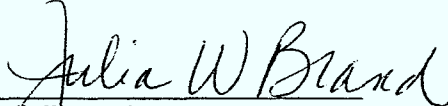
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1 IT IS HEREBY ORDERED that the Motion is denied.

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25 Date: September 13, 2018

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27 Julia W. Brand  
28 United States Bankruptcy Judge